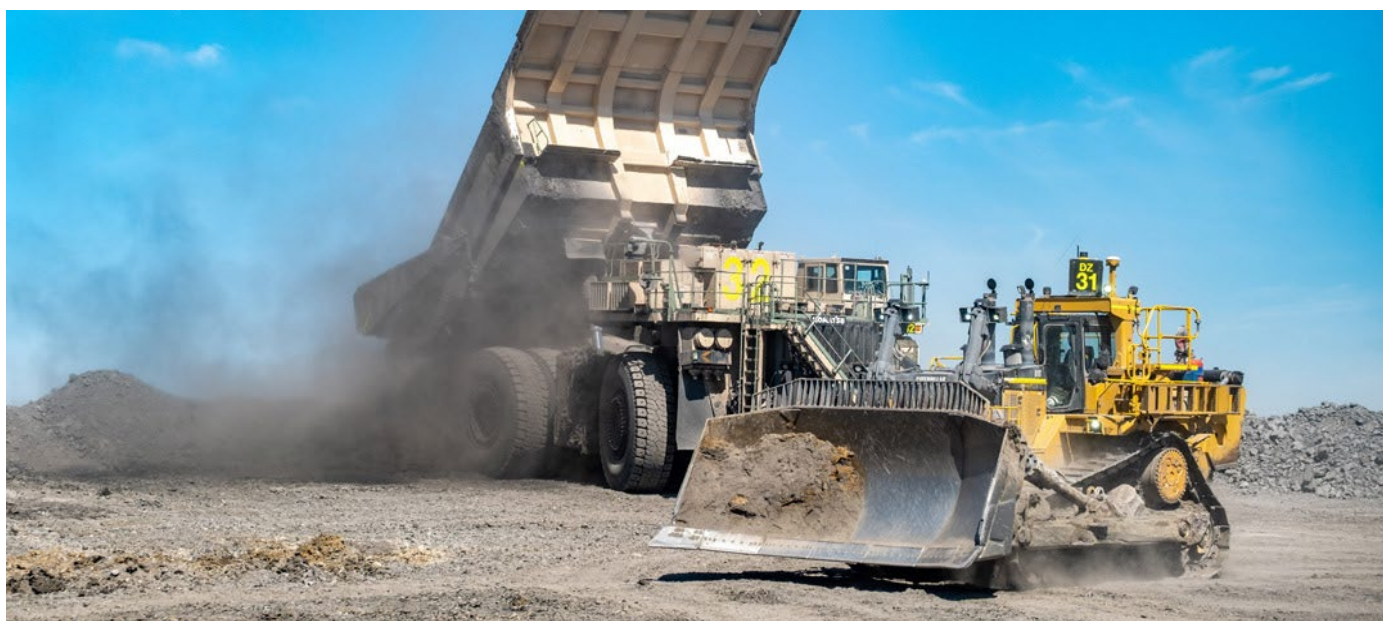


Mining and Petroleum Competence Board Annual Report 2024-2025

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Table of Contents

What is the Mining and Petroleum Competence Board?..... 4

 The role of the Resources Regulator 4

 More information 4

 Contact the board 4

Introduction..... 5

 Functions of the Board 5

 Identified priorities of the Board 5

 Membership of the Board and attendance at meetings 6

Activities of the Board in the preceding year 7

 1. Monitor and review competence standards and assessment for statutory functions 7

 2. Monitoring and oversight of the practising certificate maintenance of competence scheme (MoC) 9

 3. Emerging issues for statutory functions..... 10

 4. Effective communication 11

 Mine Safety News publications 12

What is the Mining and Petroleum Competence Board?

The Mining and Petroleum Competence Board (the Board) is a tripartite statutory board that advises the Minister responsible for administering the *Work Health and Safety (Mines and Petroleum Sites) Act 2013* (the Act) and its supporting *Work Health and Safety (Mines and Petroleum Sites) Regulation 2022* (the Regulation), and the Resources Regulator on:

- the setting of competence standards
- standards for assessing competence
- requirements for the maintenance of competence for exercising functions at a mine that impact on the health and safety of any person.

The Board is established under the Act and the Regulation.

The Board membership comprises employer and employee mining industry representatives, and officers of the Department of Primary Industries and Regional Development. The Board also includes independent members with expertise in the development and assessment of competence standards for people performing functions at mines. The Board has an independent chair.

The role of the Resources Regulator

The responsible Minister and the Resources Regulator within the Department of Primary Industries and Regional Development (the Regulator) receives advice from the Board on how to:

- determine the requirements for certificates of competence and conduct examinations
- administer the issuing of certificates of competence and practising certificates, including requirements to maintain competence.

More information

For comprehensive information on the Board and its activities visit the webpage:

resources.nsw.gov.au/resources-regulator/our-role/other-functions/mining-and-petroleum-competence-board

Contact the board

NSW Mining and Petroleum Competence Board

c/- NSW Department of Primary Industries and Regional Development

PO Box 344, Hunter Region Mail Centre NSW 2310

Ph: 02 4931 6666

Email: rr.secretariat@dpiird.nsw.gov.au.

Introduction

The Board was established in 2014 following the introduction of the Act. The Board is subject to the control and direction of the Minister. Section 68 of the Act requires the Board to provide an annual report within six months of June 30 of its activities during the preceding year.

This is the Board's 11th annual report and covers activities between 1 July 2024 and 30 June 2025.

The Board met on 4 occasions during the year:

- 6 August 2024
- 12 November 2024
- 18 February 2025
- 6 May 2025

Functions of the Board

The Board has the following functions under section 67(1) of the Act:

- overseeing the development of competence standards for people exercising functions at a mine that may impact on the health and safety of any person
- undertaking initial and ongoing assessments of the competence of people exercising any such function
- advising the Minister on matters related to the competence required of people to exercise any such function.

The Board also has the following functions under section 170(1) of the Regulation:

- advising the Regulator on the training, qualifications, experience, knowledge, or skills required for the exercise of statutory functions
- advising the Regulator on the conduct of assessments, including the nature, type, and method of assessments
- making recommendations to the Regulator in relation to conditions that may be imposed on a practising certificate
- ensuring, as far as possible, that the competency required under this Regulation for the exercise of a statutory function is consistent with the competency required in other Australian jurisdictions for the exercise of the statutory function
- recommending to the Regulator requirements in relation to maintenance of competency for holders of practising certificates.

Identified priorities of the Board

The Board has agreed on a strategy to develop an efficient and effective scheme to ensure people carrying out statutory functions under the Act and the Regulation are competent to carry out those roles to best practice WHS and engineering standards.

To achieve the strategy, the Board identified the following priorities to 2026:

1. Monitor and review competence standards and assessment for statutory functions.
2. Monitoring and oversight of the practising certificate maintenance of competence scheme (MoC).
3. Emerging issues for statutory functions.
4. Effective communication.

Implementing actions in these priority areas contributes to achieving the NSW Government's aim for a safe and responsible mining, extractive and petroleum industry in NSW.

Membership of the Board and attendance at meetings

The below table details the members of the Board and the attendance of each member at the 4 Board meetings held during the 2024/2025 financial year.

Name/position	Nominee	Appointed under (Act section)	No. of meetings attended / No. of meetings held while a member
Ms Joanne Muller AM Chair	Independent	65(1)(a) – chairperson	4/4
Ms Angela Hudson Member	Department of Primary Industries and Regional Development	65(1)(e) – officer of the Department	4/4
Mr Anthony Margetts Member	Department of Primary Industries and Regional Development	65(1)(e) – officer of the Department	2/4 Mr Dwaine Jones attended as delegate for Mr Margetts during the meeting 2024-3.
Mr Craig Reed Member	NSW Minerals Council	65(1)(b) – representing interests of employers	4/4
Ms Jessica Urquhart Member	Independent	65(1)(d) – independent	3/4
Mr Kurt Bridges Member	Cement Concrete & Aggregates Australia	65(1)(b) – representing interests of employers	3/4
Ms Kylie Fahey¹ Member	Independent	65(1)(d) – independent	2/2
Mr Peter Denison² Member	Independent	65(1)(d) – independent	1/1

¹ Ms Fahey's term ceased on 14 November 2024.

² Mr Denison's term commenced 15 April 2025.

Name/position	Nominee	Appointed under (Act section)	No. of meetings attended / No. of meetings held while a member
Mr Ron Cowdrey Member	Australian Workers Union	65(1)(c) – representing interests of employees	2/4
Mr Stephen Barrett³ Member	Mining and Energy Union	65(1)(c) – representing interests of employees	3/4 Mr Todd Jones attended as delegate for Mr Barrett during the meeting 2025-2.
Mr Stephen Tranter Member	Mining and Energy Union	65(1)(c) – representing interests of employees	4/4
Mr Tony Israel Member	NSW Minerals Council	65(1)(b) – representing interests of employers	4/4

Activities of the Board in the preceding year

In line with the Board's endorsed Strategic Plan to 2026, the Board undertook the following activities during the reporting period. The Board worked to an approved work plan developed to support its Strategic Plan to 2026. The activities in the work plan are monitored by the Board on a quarterly basis.

1. Monitor and review competence standards and assessment for statutory functions

There are existing competence standards for statutory functions requiring certificates of competence.

Competence standards need to be monitored and revised in response to emerging issues to ensure safety standards are maintained. The Board advises the Regulator on updating the competence standards for statutory functions requiring certificates of competence and the standards that should apply in the processes to assess applicants. This enables the competence standards for statutory functions to be up to date, relevant and world leading so people conducting these functions are competent and support safe mining operations.

1.1 Monitor the competence framework to ensure alignment with other jurisdictions where practical

During the reporting period the Regulator informed the Board of the outcomes from its meeting with Qld Resources Safety and Health inspectors to discuss the NSW certificate of competence and practising certificate processes. The Queensland Board of Examiners is looking to adopt a competency framework and processes consistent with NSW. The Board endorsed continuing engagement with Queensland as part of its program to engage with other jurisdictions.

³ Mr Barrett was reappointed on 15 April 2025 for 3 years.

The Board continues to monitor competence framework alignment with comparable jurisdictions and has included further reviews in its strategic plan to 2026.

1.2 Review the quality of the assessment process for certificates of competence

The assessment scheme for certificates of competence involves industry panels and the Regulator assessing the eligibility of applicants, including examining candidates through written and oral assessments. A key function of the Board is to assist the Regulator in ensuring the scheme remains efficient and effective to maintain suitability of candidates for a certificate of competence.

Certificate of competence examinations

The Regulator reports on candidate numbers and pass/fail rates for certificate of competence examinations at each Board meeting. The Board monitors and identifies trends from these reports.

The Regulator grants certificates of competence to exercise certain statutory functions pursuant to the Regulation. A person is eligible to hold a certificate of competence for a statutory function once they have been assessed and deemed competent to exercise that function.

Key requirements to determine competence for a certificate of competence include specified qualifications and experience, satisfying set criteria and an examination process. The Regulator facilitates the assessment process, with competence standards determined in consultation with the Board.

During the reporting period the Board:

- endorsed the outcomes of a procedural review of governance and performance of examiners and the revised policy and procedures for managing examiner performance
- agreed to the Regulator implementing a communication plan as part of implementing the procedures for managing examiner performance set out in the review
- recommended that the Regulator survey candidates on completion of examination panels to gauge feedback on the examiners, venue and examination process
- established a tripartite sub-committee to:
 - examine the issue of a perceived decline in certificates of competency
 - examine the issue of the decline in pass rates for oral and written exams underpinning certificate of competency assessments
 - examine the issue of the decline in the renewal of practising certificates for statutory functions
 - examine the existing actions to address the decline in certificates of competency and practising certificates
 - report findings and recommendations for addressing these issues to the MPCB by its November 2025 meeting.

Examiners and exam calendar

During the reporting period the Board endorsed the composition of examination panel members for the 2024/25 financial year. The Regulator provides a calendar of planned exams annually to inform the Board. The calendar is available on the Department's website.

1.3 Identify opportunities to improve the assessment process in collaboration with examination panels

In reviewing the schemes for competency standards and assessment, emerging skill sets for statutory functions need to be identified and integrated into the competency standards.

In the reporting year the Board:

- reviewed the rationale for the current scheduling of exams and the number of allowable attempts for a candidate to pass an exam
- requested that the Regulator convene the annual examiners meeting in January 2025.

1.4 Identify emerging industry trends/issues that may affect competence standards for statutory functions and provide advice to the Minister and the Regulator

To maintain the integrity and effectiveness of the competence framework, the Board must identify emerging trends and provide relevant advice to the Regulator and the Minister.

During the reporting period the Board:

- endorsed the Regulator's position that individuals seeking automatic mutual recognition are given a 30-day grace period to have their qualifications verified
- endorsed the Regulator amending the Regulation to codify the maintenance of competence requirements, ensuring they apply to all practising certificates (including interstate certificates)
- considered the outcome of the Regulator's online survey on the declining applicant numbers for certificates of competence
- recommended that the Regulator include the qualification of manager mining engineering underground coal as an acceptable qualification to carry out the statutory function of ventilation auditor underground coal mines to supplement the approved "Global Auditor" qualification.

2. Monitoring and oversight of the practising certificate maintenance of competence scheme (MoC)

2.1 Identify the data and information that is required to enable the Board to make decisions that enable effective monitoring of the MoC scheme

When making decisions, the Board considers relevant information provided by the Regulator. This includes regular reports, policy position papers and analysis of reviews and inquiries, and information around competence and assessment matters.

2.2 Monitor and review the MoC scheme auditing process

People exercising statutory function prescribed in the Regulation require a practising certificate. The Regulation requires all practising certificate holders to maintain competence. The Board advises the Regulator on the operation of the scheme and the performance of certificate holders in fulfilling their maintenance of competence obligations.

The Regulator and the Board monitor practising certificate holders' compliance with maintenance of competence requirements, based on random mandatory auditing on an ongoing basis. The Regulator provides reports on assessment outcomes for each Board meeting.

In this reporting period the Board:

- endorsed a revised practising certificate audit recommendation that the Regulator revise its procedure for managing audits to include a 21-day compliance time limit for responding to auditors and the compliance action the Regulator will take for non-responders
- recommended that practising certificate holders should be able to voluntarily surrender a practising certificate early and the Regulator should consider regulatory amendment to allow it
- endorsed the Regulator's plan to audit non-responders to Regulator requests to update their details over the next three financial years (2024 – 2027)
- recommended the Regulator implement a communication plan as part of implementing the revised auditing process
- noted auditing was resumed in the first half of 2025 with outcomes to be published in a report for the year, to be tabled with the Board.

2.3 Evaluate the MoC scheme learning requirements to be fit for purpose

The Board considers the effectiveness of maintenance of competence obligations. The Board monitors indicators that report on practising certificate holders' awareness of their requirements and the effect of the scheme on safety, supervision, and the implementation of control measures.

The Board has endorsed the Regulator's recommendations to amend the MoC scheme in response to stakeholder feedback, to:

- simplify the MoC scheme learning areas
- remove formal learning quotas
- amend annual caps on informal learning to be over the life of the practising certificate
- expand the on-the-job opportunities for learning.

2.4 Review the MoC scheme to ensure it aligns with the competence framework

The Board endorsed the Department's proposal to amend the Regulation to ensure that all persons exercising a statutory function requiring a practising certificate must participate in the NSW maintenance of competence scheme. This amendment took effect in December 2024. The Board continues to be updated on the implementation of the proposed monitor project to review the MoC scheme's alignment with competencies.

3. Emerging issues for statutory functions

The scheme for the statutory competency framework needs to be responsive to industry changes, as mine operators respond to evolving operational and safety challenges. These changes need to be identified and the impact on the competencies required of statutory functions considered. This assists the Board in the early identification of emerging issues and advising on proactive steps to respond appropriately so those performing statutory functions remain competent to do so.

3.1 Review the statutory functions competence standards in response to global and local emerging issues to enable the competence standards to maintain their currency

The Board draws upon its tripartite representation from across the mining industry to identify emerging trends affecting competency.

During the reporting year, the Board:

- endorsed the Regulator's communication plan to inform industry that action is required to address falling numbers of practising certificate holders, which included a webinar
- considered proposals for additional qualifications and changes to qualifications, including:
 - the manager of mining engineering underground coal being accepted as an alternative prerequisite qualification for ventilation auditors in underground coal mines
 - successful completion of a pilot to use flexible criteria to determine whether an applicant's tertiary qualifications are acceptable for electrical engineering functions in the 2024 rounds of exams. It is now being considered for permanent retention and expansion to other functions.

3.2. Provide advice to the Minister and Regulator on proactive steps to respond appropriately so individuals carrying out statutory functions remain competent

Statutory functions require competent people to carry them out. As these competencies change, there is a need to ensure people stay current. One way of ensuring currency of competencies is for maintenance of competence to underpin requirements for practising certificates.

The Regulator continues to hold seminars and provides educational opportunities as requested by the Board.

4. Effective communication

4.1 Engage industry stakeholders to promote the role and work of the Board and to canvas their views on contemporary and emerging issues

The Board engages industry via its tripartite stakeholder membership drawn from across the mining sector including employee and employer representatives as well as departmental officers and independent members.

The Board uses a range of communication channels to keep stakeholders informed of its activities, including:

- delivering presentations at stakeholder events
- delivering webinars and workshops
- publishing articles in the Regulator's Mine Safety News email circular
- publishing new and updated guidance material, board meeting agendas and minutes on the department's website.

These activities are detailed below.

Seminars, meetings, and presentations

The chair of the Board presented at the following Regulator seminars:

- October 2024 Metalliferous Industry Safety and Health Engagement Forum

- November 2024 Electrical Engineering Safety Seminar

The Regulator presented at the following meetings and seminars:

- 2024/2025 – Various briefing sessions for prospective applicants and candidates on individual function exams by panel
- January to June 2025 - Various meetings for Certificate of Competence sub committee
- 30 April 2025 Metalliferous MEM forum
- 25 June 2025 Drill and Blast seminar
- 30 January 2025 - Examiners annual meeting
- October 2024 to March 25 - Webinars on how individual practising certificate holders and mine operators can comply with legislative requirements.
- March 2025 Mining and Automotive Skills Alliance 2025 workforce plan consultation
- 30 January 2025 - Examiners annual meeting

Mine Safety News publications

The following articles relating to activities of the Board, were published in the Regulator's Mine Safety News email circular.

Date	Topic
24/08/24	New exam dates released for certificates
24/08/24	Past exam papers removed to allow reuse
09/09/24	Call for an Independent Member – Mining and Petroleum Competence Board
09/09/24	Publishing of competency certificate trends and webinar for mine operators
19/09/24	Call for an Independent Member – Mining and Petroleum Competence Board
19/09/24	Publishing of competency certificate trends and webinar for mine operators
19/09/24	Certificate of competence examiners
19/09/24	Certificate of Competence exams webinar
03/10/24	Publishing of Competency Certificate trends and Webinar for Mine Operators
03/10/24	2025-2026 Certificate of Competence exam calendar & Briefing Sessions
03/10/24	Request for tenders to audit maintenance of competence for practising certificates
17/10/24	REMINDER: 2025-2026 Certificate of Competence Exam Calendar & Briefing Sessions
17/10/24	Request for tenders to audit maintenance of competence for practising certificates
31/10/24	REMINDER: Certificate of competence exam briefing and 2025-26 exam calendar
16/01/25	Request for EOIs for certificate of competence examiners
16/01/25	Practising Certificate holder conditions regarding maintenance of competency now set out in regulation
16/01/25	Practising Certificate contact details - are you up to date?
13/02/25	Annual report published - Mining and Petroleum Competence Board
13/02/25	Certificate of competence briefing sessions
27/02/25	Auditing commences for practising certificate holders
27/02/25	REMINDER: Certificate of competence briefing sessions
27/03/25	REMINDER: 2025-2026 Certificate of competence exam calendar released
29/04/25	2025-2026 Examination calendar and changes
08/05/25	2025-2026 Examination calendar and changes
05/06/25	Expression of interest - Mining and Petroleum Competence Board

Board meeting agendas and minutes

The agendas and minutes from Board meetings during the reporting period were published on the department's website.

Guidance material

During the reporting period, the following new and updated guidance material was published on the department's website:

Date	Title
2024/2025	Publication of past exam papers
August 2024	Gazette: statutory functions (Victorian quarry manager's certificate of competence) 2024
August 2024	Guide to apply for certificates (update)
August 2024	2023/24 MPCB Annual Report
September 2024	Fact Sheet Quarry manager practising certificate – 3 Tier approach
October 24 to March 25	Multiple recorded briefing sessions applicant for various certificates of competence
February 2025	Fact sheet: Examination fee schedule – certificate of competence
February 2025	Fact Sheet Auditing of WHS practising certificate holders for Maintenance of Competence
March 2025	Fact Sheet Mining operators managing workers under mutual recognition
March 2025	Fact Sheet Certifying documents and verifying identity
June 2025	Guide to Statutory functions (update)

4.2 Review the Board's charter to embed communication with industry stakeholders into business as usual

During the reporting year the Board's charter was revised and endorsed at the November 2024 meeting. The revised charter will improve the Board's governance and operation. The Board regularly reviews the charter to ensure it remains contemporary.

4.3 Review the Board's communication plan to promote visibility and strategic intent of the Board

The Board reviewed the communications plan at each meeting, to ensure stakeholders are informed of the activities of the Board including:

- potential applicants for certificates of competence
- the mining industry, including mine operators, workers, and stakeholder organisations
- registered training organisations (RTOs) and educational bodies/institutions.

These activities are further detailed in 4.1 above.

4.4 Provide an annual report to the Minister

In accordance with section 68 of the Act, the Board produces an Annual Report. The Annual Report informs the Minister of the activities of the Board in the preceding financial year.